

Attorney Docket No. GRAY032/01US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Brian E. LE GETTE et al.

Serial No.: 10/693,607

Examiner: Andrew W. Sutton

Confirmation No.: 6475

Art Unit: 3765

Filed: October 27, 2003

For: EAR WARMER HAVING A CURVED EAR PORTION

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each foreign and non-patent document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ___ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided.
- ☐ Publication(s) ___ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to ___ application serial no. ___ and mailed on ___.
- ☐ Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed within any one of the following time periods:

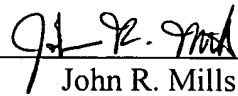
- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 28-APR-06

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Respectfully submitted,
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Please type a plus sign (+) inside this box →

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PTO/SB/08A (08-00)

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
APR 28 2006 RECEIVED TRADEMARK OFFICE				Application Number	10/693,607
				Filing Date	October 27, 2003
				First Named Inventor	Brian E. LE GETTE
				Group Art Unit	3765
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	GRAY032/01US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A129	183,359		Abbott	10-17-1876
	A130	139,831		Stone	06-10-1873
	A131	188,292		Greenwood	03-13-1877
	A132	360,985		Basch	04-12-1887
	A133	836,087		Callahan	11-20-1906
	A134	1,167,368		Adams-Randall	04-04-1916
	A135	1,567,105		Bohlman	12-29-1925
	A136	2,437,049		Salisbury et al.	01-05-1945
	A137	2,946,860		Jansen et al.	07-26-1960
	A138	3,104,398		Palmaer	09-24-1963
	A139	3,311,713		Knuebel	03-28-1967
	A140	3,440,663		Beguine	04-29-1969
	A141	4,455,457		Akira	06-19-1984
	A142	4,499,593		Antle	02-12-1985
	A143	5,003,589		Chen	03-26-1991
	A144	5,046,192		Ryder	09-10-1991
	A145	5,793,878		Chang	08-11-1998
	A146	5,835,609		LeGette et al.	11-10-1998
	A147	6,148,446		Leight	11-21-2000
	A148	6,377,697	B1	Cheng	04-23-2002
	A149	6,888,950	B2	Siskin et al.	01-08-2004
	A150	29/201,175		Le Gette et al.	03-12-2004
	A151	29/201,219		Le Gette et al.	03-12-2004
	A152	6,978,483	B2	Isom et al.	09-30-2004
	A153	2005-0034216	A1	Le Gette et al.	02-17-2005
	A154	2005-0036643	A1	Le Gette et al.	02-17-2005
	A155	2005/0034217	A1	Healy et al.	02-17-2005
	A156	2005-0241047	A1	Dean et al.	11-03-2005
	A157	2005-0246815	A1	Le Gette et al.	11-10-2005

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

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				Group Art Unit	3765
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	GRAY032/01US

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁴
		Office ¹	Number ²	Kind Code ³ (if known)			
	B38	DE	3231218	A1	Wanner et al.	02-23-1984	
	B39	CN	2291138			09-16-1998	
	B40	JP	10-85251		Tada et al.	08-24-1999	Abstract Only
	B41	JP	11-229223		Tada et al.	08-24-1999	Abstract Only
	B42	KR	20-0226271		Yoon, Sung-Do	06-15-2001	Translation
	B43	KR	20-0314976		Kim, Dae-Su	06-02-2003	Translation
	B44	KR	30-0336877		Kim, Dae-Su	11-05-2003	Translation

OTHER MATERIALS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵	
	C1	Chicago Tribune article entitled "Winter From Head to Toe Lend an Ear to the Tale of This Intrepid Inventor," by Sid Moody, February 16, 1988, 4 pgs.		
	C2	"History of the United States Patent Office – The Patent Office Pony – A History of the Early Patent Office", by Kenneth W. Dobyns, 1994, [Introductory Material – 3 pgs.; Chapter 29 – 4 pgs.; and Sources and Annotations – 40 pgs.].		

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¹ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

² For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

³ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

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